

PUBLIC SAFETY COMMUNICATIONS COUNCIL

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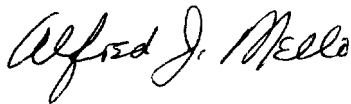
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Office of Secretary
Federal Communications Commission
1919 M Street, N.W.
Washington, DC 20554

Reference: PR Docket No. 92-235

Enclosed are the original and nine copies of comments of the Public Safety Communications Council in PR Docket No. 92-235 as invited by the Commission in Section D of Title IV of the Report and Order and Further Notice of Proposed Rule Making adopted on June 15, 1995 and released on June 23, 1995.

Sincerely,



Alfred J. Mello, President

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Before the
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

FCC 95-255

In the Matter of

Replacement of Part 90 by Part 88 to
Revise the Private Land Mobile Radio
Services and Modify the Policies
Governing Them

and

Examination of Exclusivity and
Frequency Assignment Policies of
the Private Land Mobile Radio Services

To: The Commission

DOCKET FILE COPY ORIGINAL

PR Docket No. 92-235

SEP 29 1995

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**COMMENTS OF
PUBLIC SAFETY COMMUNICATIONS COUNCIL**

The Public Safety Communications Council (PSCC) submits the following consensus proposal of its member organizations in response to the Commission's invitation for such a proposal as contained in the Report and Order and Further Notice of Proposed Rule Making in the above-captioned proceeding.

As invited by the Commission¹, these comments deal only with the matter of Consolidation of Radio Services. The consensus proposal was developed at a meeting of PSCC following the first meeting of the Public Safety Wireless Advisory Committee (PSWAC) being proposed by the Commission and the National Telecommunications

¹ Title IV, Section D, Consolidation of Radio Services, Paragraphs 42-55 of the Report and Order and Further Notice of Proposed Rule Making, adopted June 15, 1995 and released June 23, 1995.

and Information Administration.

For the unique and compelling reasons stated here, PSCC asks that the Commission defer action on the consolidation of the Public Safety Services for the short period of time until the work of the Public Safety Wireless Advisory Committee is concluded.

Public Safety Communications Council

The PSCC was formed at the request of the FCC in 1958. Its purpose is to assist the Commission in its spectrum management responsibilities with respect to the Public Safety Radio Services.² Collectively, the PSCC member organizations serve as the Frequency Coordinators recognized by the Commission in these services.

The Executive Committee members of the Council are: the American Association of State Highway & Transportation Officials; the Association of Public-Safety Communications Officials-International; the Forestry Conservation Communications Association; the International Municipal Signal Association/International Association of Fire Chiefs, jointly; and the National Association of Business & Educational Radio/Personal Communications Industry Association.

Sponsoring organizations include the International Association of Fish & Wildlife Agencies; the National Association of State Foresters; and the National Emergency Management Association. Commercial members include Motorola, Inc. and

² **The Fire, Emergency Medical, Forestry-Conservation, Highway Maintenance, Local Government, Police, and Special Emergency Radio Services.**

Ericsson, Inc. The Council invites any other organization interested in the improvement of public safety communications to join in its work.

Background

The Commission has stated its intention to consolidate the radio services, and its expectation that there will be a Public Safety Service separate from other Wireless Radio Services. In this respect, the Commission has stated³:

". . .Some of the most vocal advocates for maintaining discrete services are Public Safety users, who state that Public Safety is a unique radio service and should remain unchanged to protect the integrity and operation of the service. As we have described, we recognize the importance of the different services, particularly Public Safety, and encourage users to develop a proposal which includes a Public Safety pool. Further, we recommend that users provide clear guidelines as to the requirements for inclusion in the Public Safety pool to prevent overcrowding and to maintain the critical functions of the users included within this pool. Additionally, we recommend that users consider whether a single coordinator or multiple coordinators should be used for public safety users. Further, while some commenters argue that the existing system of radio services has served the PLMR community well over the last three decades, spectrum use can be more evenly distributed under a system of consolidation. This change in the present system can work to improve the

³ Paragraph 45, FCC 95-255.

efficiency of the spectrum environment."

Further, the Commission has stated⁴:

" . . . We will issue final rule amendments on this subject approximately 6 months after the effective date of this order without further notice. These rule amendments will incorporate the PLMR community's consensus plan, if consensus is achieved within the rubric of this Report and Order."

Public Safety Wireless Advisory Committee

Subsequent to the adoption and release of the Report and Order and Further Notice, the Commission, jointly with NTIA, has established a Public Safety Wireless Advisory Committee (PSWAC), with subcommittees designated to explore spectrum, operational, technology, interoperability, and transition requirements of Federal, State and Local Government Public Safety agencies over the next nine-month period. The effects of consolidation within the Public Safety services will be part and parcel of many of issues to be explored in PSWAC. PSCC submits that consolidation of the Public Safety services prior to the completion of the PSWAC process would be highly premature, and perhaps detrimental to that process.

It is the position of PSCC that while there are inequities and other matters which need improvement, in-place procedures are adequate to serve the users of the Public Safety

⁴ Paragraph 55, 95-255.

Services until such improvements as may be recommended by PSWAC are drafted, evaluated and implemented.

There is every expectation that significant changes and improvement in spectrum utilization will result from the PSWAC effort. Closer cooperation between the Federal users and non-Federal Public Safety users will significantly improve, with the strong possibility that some sharing of spectrum between these groups will occur. The potential for such sharing will vary depending on the Federal agency involved and the non-Federal agency involved. It is anticipated that additional spectrum will be identified and secured for Public Safety use. In view of these possibilities, indeed probabilities, as a result of PSWAC, the need for beneficial changes in the frequency coordination process may become apparent.

It would be needlessly expensive and burdensome on all involved, including the Commission, for the Public Safety services to implement changes in their coordination procedures now, and then have to make significant changes again at the conclusion of the PSWAC studies and recommendations.

Proposed Action And Request

In its Report and Order the Commission has tentatively assigned the new interleaved channels in the Public Safety portion of Part 90 to the individual services from which they are derived. Block edge channels have also been suitably assigned.

While there is currently a freeze on the release of these new channels, it is anticipated that this may be lifted and implementation resumed under the time tables stated in the Report and Order. Favorable action on PSCC's request would add only a very short period of time to that currently being contemplated and would have no effect on the non-Public Safety services.

PSCC requests that consolidation of the Public Safety services be placed on hold until the conclusion of the PSWAC proceeding. In the interim, coordination would be performed as at present, including for the newly created channels as they become available.

Recognizing that these new channels will require special attention, all Public Safety service coordinators are pledged to an on-going effort to work in an harmonious manner to recommend assignment of channels in the most equitable and effective manner.

Frequent meetings will be held, often in conjunction with the PSWAC subcommittee meetings, to examine and improve the coordination process, both within and between services. The discussions will include consideration of state-of-the-art methodology, interservice coordination and fees. There will also be studies to determine the need for rules and procedures which can accommodate the variations in the requirement for channels on State and Regional bases.

These meetings and discussions will lead to improved service to the applicants and

users and ensure the ultimate in spectrum utilization. As the PSWAC process progresses, coordinators will keep abreast of potential changes in spectrum allocation and utilization and will provide input to the various PSWAC subcommittees. Coordination policies and procedures will be in a fluid state during this period, and will be modified as necessary to produce the best results.

Conclusion

The Commission has stated that it recognizes the requirement for different rules for Public Safety and non-Public Safety entities. It has requested a consensus proposal from the users for providing coordination. PSCC respectfully submits the above as a consensus proposal endorsed by all Public Safety services, and requests favorable consideration by the Commission.

Respectfully submitted,

A handwritten signature in cursive script that reads "Alfred J. Mello".

**Alfred J. Mello, President
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Public Safety Communications Council

Coordinating Members

American Association of State Highway & Transportation Officials

Association of Public-Safety Communications Officials-International

Forestry Conservation Communications Association

International Municipal Signal Association/International Association of Fire Chiefs

**National Association of Business & Educational Radio/Personal Communications
Industry Association.**

Supporting Members

International Association of Fish & Wildlife Agencies

National Association of State Foresters

National Emergency Management Association

Commercial Members

Ericsson, Inc.

Motorola, Inc.